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## TRANSMITTAL FORM

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<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>	Application Number	09/1909,014	
	Filing Date	7-20-2001	
	First Named Inventor	E.S. KEMENY	
	Group Art Unit	1761	
	Examiner Name	S. WEINSTEIN	
Total Number of Pages in This Submission	14	Attorney Docket Number	—

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TO:  
USPTO  
Washington, D.C. 20231  
Art Unit 1761  
Examiner S. Weinstein  
Re: Patent Application  
Serial No. 09/909,014  
Filed 7/20/2001

FROM:  
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RESPONSE TO EXAMINER'S 2ND ACTION NON-FINAL  
PAPER #16: REJECTION OF CLAIMS 1-15

PART I. Introduction

1.0 Summary of Response

This is a complete response to the Examiner's Action:  
rejecting claims 1-15 -- all the claims in the case.

The Examiner requires specific explanatory matter to clarify  
and narrow the Specification and Claims -- to be entered  
with no New Matter.

Responsively, clarifying amendments now define (and further  
limit) original key terms in the Specification and Claims--  
based on common sources -- with no New Matter.

Claims 1-15 stand rejected under 35USC 112 First Para. as based on unclear disclosure, and

Claims 1-15 stand rejected under 35USC103 as obvious over Snyder in view of Deane, and over Klatz, Schafer, and DeBryun.

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### 1.1 Summary of Amendments

#### (a) In the Specification:

"DEFINITIONS" listing the original key terms is added -- with definitions based on commonly-used sources (Webster's Dictionary, Fannie Farmer's Cookbook, and cited prior art).

#### (b) In the Claims:

The Claimed original key terms are further defined to clarify (and further limit) the invention as originally claimed. Changes basically include:

Claim 1 is now drawn to a "Meal-Equivalent Food Bar" with segments equivalent to courses of a "Conventional Meal" ("appetite" controllers are now in dependent claim 16);

Claim 12 is now drawn to a "Snack Food Bar" improved with plural segment courses of "appetite" controllers;

Claims 14,15 are cancelled ("Meal-Equivalent Food Bar");

Claim 16 (on Claim 1) now has the "appetite" controllers;

--Note: all the original terms in the claims are also defined in the new Specification section: "Definitions."

## 1.2 Traverse of the Applied Prior Art Rejection

The rejection under 35USC103 is traversed: The Applied Art cited by the Examiner correctly teaches certain features of the present invention, but fails to teach or suggest all the features in combination:

- (a) Snyder teaches an assortment of foods in a box, (not a bar, ready-to-eat);
- (b) Deane teaches portions of food including meat and vegetables in a single container to be separated for cooking, (not ready to eat);
- (c) Klatz teaches a food bar of nutrients in plural parts for chronological appropriate portions and doses (not plural

portions for a Meal with segments: of Conventional Meal courses, or appetite controllers).

(d) Schafer teaches a ready-to-eat food bar of mixed ingredients (not plural segments of a Conventional Meal);

(e) DeBryun teaches multi-segment, multi-ingredient food bars (not segments equivalent to a Conventional Meal, nor segments for a Snack Bar with appetite controllers).

### 1.3 Questions and Answers

The Examiner raises specific questions which are here answered:

(1) QUESTIONS: The meaning of the term "equivalent"?

The differences between the terms:

"appetizer...main-course...dessert" ?

The source of the new term "flavor" ?

ANSWER: These terms are now carefully defined in the new "Definitions" Section, and Claims,  
and here Briefly:

"Equivalent" means approximation;

"Equivalent Food" means a substitute food which

approximates the (one or more) given Food-Type Attributes:  
Flavor, Texture, Color, Density, Nutrition, and Calories.

NOTE: Flavor is the primary culinary food attribute  
of a food-type and course in a Conventional Meal, eg:

Appetizer: first course, light density,  
flavor sweet or savory (non-sweet);

Main-Course: second course, heavy density,  
flavor savory;

Dessert: third (and last) course, light density,  
flavor sweet.

(2) QUESTION: Do Oat-Soy Bar segments differ in flavor?

ANSWER: Yes: See the original Example (flavors):

Oil/Vinegar, vegetable, apple sauce.